



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 79

Assembly Amendment 1 to Senate Amendment 1

Memo published: October 3, 2003

Contact: Joyce L. Kiel, Senior Staff Attorney (266-3137) and
Russ Whitesel, Senior Staff Attorney (266-0922)

Current law provides that the Wisconsin Health and Education Facilities Authority (WHEFA) may issue bonds to finance certain projects undertaken for educational facilities. Currently, the only type of educational facility eligible is a regionally accredited, private, nonprofit *post-secondary* educational institution.

Assembly Bill 79 expands WHEFA's bonding authority by *eliminating* the limitation to *post-secondary* educational institutions. Therefore, a regionally accredited, private, nonprofit *elementary or secondary* educational institution may be eligible for WHEFA financing of certain projects.

Assembly Amendment 1 to the bill substitutes a requirement that a private, nonprofit elementary or secondary school be accredited to the satisfaction of WHEFA, rather than requiring that it be "regionally accredited." (Neither the bill nor the amendment affect current law with respect to post-secondary educational institutions which must be regionally accredited.)

Senate Amendment 1 creates a requirement that WHEFA make all efforts to comply with the State of Wisconsin minority business participation rules as required by statute and administrative code.

Assembly Amendment 1 to Senate Amendment 1 modifies the provisions in Senate Amendment 1 requiring that WHEFA ensure that all minority business participation requirements that apply to a WHEFA project under state statute or administrative rule are complied with. This provision only applies to a WHEFA project that is financed under ch. 231 after the effective date of the section and relates to an educational facility other than a post-secondary education institution.

Legislative History

Assembly Amendment 1 was offered by the Assembly Committee on Education Reform. The committee recommended the amendment for adoption on a vote of Ayes, 13; Noes, 0 on March 12, 2003. The committee recommended the bill, as amended, for passage on a vote of Ayes, 8; Noes, 5.

The Assembly passed Assembly Bill 79, as amended by Assembly Amendment 1 on March 18, 2003, on a voice vote. In the Senate, the bill was referred to the Committee on Education, Ethics and Elections. That committee, in executive session on September 17, 2003, recommended concurrence in the bill on a vote of Ayes, 7; Noes, 0.

Senate Amendment 1 was offered by Senator George and others and adopted on a voice vote on September 30, 2003. The bill was concurred in, as amended by Senate Amendment 1 on September 30, 2003, on a vote of Ayes, 28; Noes, 5.

Assembly Amendment 1 to Senate Amendment 1 was offered by Representative Wieckert on October 2, 2003. The Assembly adopted the amendment on a voice vote and concurred in Senate Amendment 1, as amended, on October 2, 2003.

JLK:RW;jal:rv:ksm;wu